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18 UNITED STATES DISTRICT COURT
19 DISTRICT OF NEVADA

20 Cung Le, Nathan Quarry, Jon Fitch, Brandon
21 Vera, Luis Javier Vazquez, and Kyle
Kingsbury on behalf of themselves and all
22 others similarly situated,

23 Plaintiffs,

24 v.

25 Zuffa, LLC, d/b/a Ultimate Fighting
Championship and UFC,

26 Defendant.
27
28

Case No.: 2:15-cv-01045-RFB-(PAL)

**JOINT STIPULATION
REGARDING PLAINTIFFS'
EMERGENCY MOTION TO
RESCHEDULE DEPOSITIONS
AND EXTENSION OF TIME TO
FILE ZUFFA, LLC'S REPLY IN
RESPONSE TO PLAINTIFF'S
OPPOSITION TO ZUFFA'S
MOTION FOR PARTIAL
SUMMARY JUDGMENT AS TO
PLAINTIFF NATHAN QUARRY
(Second Request)**

1 Plaintiffs Cung Le, Nathan Quarry, Jon Fitch, Brandon Vera, Luis Javier Vazquez, and
2 Kyle Kingsbury (collectively “Plaintiffs”) and Defendant Zuffa, LLC d/b/a Ultimate Fighting
3 Championship and UFC (“Zuffa”) (together with Plaintiffs, “the Parties”) have entered into this
4 stipulation in order to resolve certain scheduling disputes between the parties regarding
5 depositions to be taken as well as to stipulate to extend the time in which Zuffa may file a reply in
6 response to Plaintiffs’ Opposition to Zuffa’s Motion for Partial Summary Judgment as to Plaintiff
7 Nathan Quarry (ECF No. 365) (“Plaintiffs’ Opposition”).
8

9 WHEREAS Plaintiffs filed an emergency motion to reschedule the depositions of
10 Kirk Hendrick and Lawrence Epstein on April 21, 2017 (see ECF No. 377);

11 WHEREAS, this is the second stipulation to extend the time to respond with respect
12 to Zuffa’s Motion for Partial Summary Judgment as to Plaintiff Nathan Quarry (ECF No. 347)
13 and the original deadline for the reply to Plaintiffs’ opposition was April 24, 2017;
14

15 WHEREAS, the Parties have been engaged in extensive fact discovery and still
16 have outstanding disputes regarding whether certain documents are privileged as well as when
17 certain depositions of Zuffa deponents may be taken;

18 WHEREAS, the Parties have determined that is in their mutual interest to avoid
19 costly and inefficient motion practice regarding the taking of certain depositions of Zuffa
20 witnesses; and
21

22 WHEREAS, Zuffa has moved to extend the deadline to file its reply to Plaintiffs’
23 Opposition (ECF No. 381).

24 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between
25 the Parties as follows:

26 1. The parties stipulate to a one-week extension for Zuffa’s reply to Plaintiffs’
27 Opposition such that Zuffa’s reply will be due on Monday, May 1, 2017.
28

1 2. Plaintiffs may take the deposition of Zuffa employee Ike Lawrence Epstein outside
2 the period ordered for fact discovery. Such deposition will be set at a mutually agreeable time for
3 the parties and will take place in May 2017.

4 3. If the Court has not yet ruled on Plaintiffs' Motion to Challenge Work Product
5 Designation (ECF No. 282) ("Work Product Challenge") by the time Mr. Epstein's deposition is
6 taken, Plaintiffs may hold open Mr. Epstein's deposition for the limited purpose of deposing
7 Mr. Epstein concerning any de-privileged documents Zuffa may produce as a result of the Work
8 Product Challenge where Mr. Epstein is the author or recipient of such documents. Should the
9 Court grant Plaintiffs' Work Product Challenge, Plaintiffs shall be allowed no more than two (2)
10 hours to depose Mr. Epstein regarding fighter compensation issues, including the Mercer
11 documents. The total time on the record for Mr. Epstein's deposition shall not exceed seven (7)
12 hours.
13

14 4. Plaintiffs may take the deposition of Kirk D. Hendrick at a mutually agreeable
15 time at Mr. Hendrick's convenience.
16

17 5. If the Court has not yet ruled on Plaintiffs' Work Product Challenge by the time
18 Mr. Hendrick's deposition is taken, Plaintiffs may hold open Mr. Hendrick's deposition for the
19 limited purpose of deposing Mr. Hendrick concerning any fighter compensation issues, including
20 any documents related to the Mercer study Zuffa performed. Plaintiffs shall be allowed up to
21 three (3) hours to depose Mr. Hendrick regarding the Mercer documents. The total time on the
22 record for Mr. Hendrick's deposition shall not exceed seven (7) hours.
23

24 6. Zuffa's agreement to take the depositions of Mr. Epstein and Mr. Hendrick after
25 the deadline for fact discovery is limited to these two depositions. Zuffa does not consent to any
26 extension of the deadline of fact discovery for any other purpose. Plaintiffs reserve their rights to
27 seek extensions from the Court regarding other depositions.
28

1 7. If Plaintiffs are successful in their Work Product Challenge, the Parties agree to
2 jointly seek a reasonable extension of the deadline for the Parties to disclose expert reports.

3 8. Plaintiffs' emergency motion to reschedule depositions (ECF No. 377) is hereby
4 withdrawn.
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7 **IT IS SO ORDERED**



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9 RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

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11 DATED: April 27, 2017
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1 Dated: April 25, 2017

Dated: April 25, 2017

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